

04-6-05

ITW

DOCKET NO.: ISIS-5325

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Charles Allerson, et al.

Confirmation No.: 5641

Application No.: 10/701,007

Group Art Unit: 1645

Filing Date: November 4, 2003

Examiner: Not Yet Assigned

For: COMPOSITIONS COMPRISING ALTERNATING 2'-MODIFIED  
NUCLEOSIDES FOR USE IN GENE MODULATIONS

EXPRESS MAIL LABEL NO: EV325730295US  
DATE OF DEPOSIT: April 5, 2005

EV325730295US

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of reference numbers **136 and 139** listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of reference numbers **137 and 138** on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

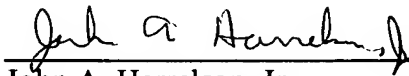
- ☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

- ☐ The relevance of those listed references which are not in the English language is as follows:

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: April 4, 2005

  
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Sheet 1 of 2

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. ISIS-5325		Application No. 10/701,007		
	Applicant Charles Allerson, et al.				
	Filing Date November 4, 2003		Group 1645		
	Confirmation No. 5641				
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>					
	136	Hunzlker, J., et al., "Nucleic acid analogues: synthesis and properties," <i>Modern Synthetic Methods</i> , 1995, 331, 334-417			
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>		

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. ISIS-5325	Application No. 10/701,007
	Applicant Charles Allerson, et al.	
	Filing Date November 4, 2003	Group 1645
	Confirmation No. 5641	

### U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	137	5,808,036	09/15/98	Kool	536	24.3
	138	2002/0132788 A1	09/19/02	Lewis, et al.	514	44

### FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	139	WO 94/01550	01/20/94	PCT		

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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